

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
9:00 A.M., October 12, 2004

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the September 28, 2004, Consent/Workshop Meeting.

AWARDS AND PRESENTATIONS

- Proclamations
- KPTA Transit System of the Year Award.

PUBLIC AGENDA

1. Jim Lawing-The Patriot Act.
2. Mirko D'Angelo-Ambassador to the Wichita Supporting the Arts Campaign.
3. Tommy Thomas-Cooperation between the City of Wichita and the Taxpayers and Property Owners and Updating City Ordinances: Noise and Tree Trimming.
4. Peggy Brown-Drugs in School.
5. Dane Saksa and Steven James, Wichita's Promise Youth Council-Action 2003 Results.

CONSENT AGENDA

6. Report of the Board of Bids and Contracts Dated October 11, 2004.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

7. Applications for Licenses to Retail Cereal Malt Beverages:

| <u>Renewal</u> | <u>2004</u> | <u>(Consumption on Premises)</u> |
|-----------------------------------|---|------------------------------------|
| Dennis H. Grandy Jo Lynn Blood | Wichita Canteen Company, Inc.* Pine Bay Golf Course, Inc.* | 1845 Fairmount 6615 South Grove |
| <u>Renewal</u> | <u>2004</u> | <u>(Consumption off Premises)</u> |
| Thuy Nguyen | Quick Pick | 3733 North Arkansas |
| <u>New Operator</u> | <u>2004</u> | <u>(Consumption on Premises)</u> |
| Canh Pham | Canh's Cuisine Vietnamese Restaurant* | 1410 North Broadway |
| <u>Special Event</u> | <u>October 23-24, 2004</u> | |
| Delfino Morillon | Treco | 2200 North Broadway |

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review
and approval.

8. Preliminary Estimates:

- a) First and Second Street West Outfall - along First and Second Streets from West Street to Athenian, thence to the river. (562-864401/660795/864401) Traffic to be maintained during construction using flagpersons and barricades. (District VI, IV) - \$7,500,000.00
- b) Water main replacement along Athenian - along Athenian from Second Street to McLean. (448-89905/634035/773206) Traffic to be maintained during construction using flagpersons and barricades. (District VI, IV) - \$129,999.99
- c) Kellogg Avenue (US 54)/Rock Road Interchange, Part 4: Grading, Concrete Pavement, Utilities and Seeding (temporary) for Armour Road north of Kellogg (472-84094/702341/401352) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$935,777.25
- d) City View from Maple to the southerly line of City View; Sheriac Circle (Lots 1 through 13, and 20 through 22, Block B), from the west line of City View to and including cul-de-sac; Sheriac Court from the north line of Sheriac Circle to and including cul-de-sac; sidewalk on one side of City View to serve Shadow Woods Addition (north of Maple, west of 135th Street West) (472-83759/765890/490003) Does not affect existing traffic. (District V) - \$245,000.00

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- e) 2004 Planeview Sanitary Sewer Reconstruction, Phase 2 (south of Pawnee, east of Hillside) (468-83890/622241/644349) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$278,049.20
- f) Lateral 32, Main 2 Southwest Interceptor Sewer to serve Bartlow Second Addition (east of Seneca, north of 47th Street North) (468-83847/744070/480758) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$10,400.00
- g) 2004-2005 Traffic Signalization Program, Phase IV: Install Traffic Signals at 21st Street North & 127th Street East (472-84072/706911/204377) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$79,510.00
- h) Elm, Sheridan to Mt. Carmel to serve Simpson's Addition, S.A. King's Addition, Lemon 4th Addition (west of Meridian, north of Central) (472-83950/765867/490978) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$50,000.00
- i) 2004 Sanitary Sewer Reconstruction, Phase 12 - (various locations north of MacArthur, between Broadway and Woodlawn. (468-83905/620418/664538) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III,IV) - \$424,000.00
- j) 2004 Sanitary Sewer Rehabilitation, Phase F - various locations north of Harry, between Meridian and 143rd Street East. (468-83867/620417/664537) Traffic to be maintained during construction using flagpersons and barricades. (Districts II,III,IV,VI) - \$260,000.00
- k) Water Distribution System to serve Shadow Woods Addition - north of Maple, west of 135th Street West. (448-89792/735218/470888) Does not affect existing traffic. (District V) - \$59,000.00
- l) Water Distribution System to serve Blue Lake Addition - south of 31st Street South, west of West Street. (448-89988/735217/470887) Does not affect existing traffic. (District IV) - \$151,000.00
- m) Lateral 1, Main 22 Southwest Interceptor Sewer to serve Blue Lake Addition - south of 31st Street South, west of West Street. (468-83862/744086/480774) Does not affect existing traffic. (District IV) - \$434,000.00

RECOMMENDED ACTION: Approve and file.

9. Deeds and Easements:

- a) Sanitary Sewer Easement dated September 20, 2004 from Entertainment Enterprises, Inc. for a tract of land located in the northwest quarter of the Southeast Quarter of Section 30, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (L36, M1, CIS, OCA #744005). No cost to City.
- b) Utility Easement dated June 17, 2004 from Caro Properties, LLC for a tract of land located in Lot 3, Block 1, Frank and Johnny's Addition, an addition to Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.
- c) Facade Easement from Delano Barbecue Partners, LLC for a tract of land located in Lot 71 on Chicago, now Douglas Avenue, West Wichita Addition to Wichita, Sedgwick County, Kansas (Facade Improvement Program, OCA #132019). No cost to City.

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- d) Facade Easement from Queen Lakes II for tracts of land located in Lots 109 and 111 on Douglas Avenue, Reserve in Greiffenstein's Addition to Wichita, Sedgwick County, Kansas (Facade Improvement Program, OCA #132019). No cost to City.
- e) Facade Easement from Johnnie Bell and Laurestine Bell for tracts of land located in Lots 46, 48, 50, 52, 54, and 56 Kelsch's Resurvey Addition to Wichita, Sedgwick County, Kansas (Facade Improvement Program, OCA #132019). No cost to City.
- f) Facade Easement from Olympus, Inc. for tracts of land located in Lots 79, 81, 83, 85 and 87 on Douglas Avenue, Greiffenstein's Addition to Wichita, Sedgwick County, Kansas (Facade Improvement Program, OCA #132019). No cost to City.
- g) Facade Easement from Tony Abdayem and Micheline Abdayem for tracts of land located in Lots 6, 8, 10, 12 and 14 on Chicago, now Douglas Avenue, West Wichita Addition to Wichita, Sedgwick County, Kansas (Facade Improvement Program, OCA #132019). No cost to City.

RECOMMENDED ACTION: Accept documents.

10. Petitions for Public Improvements:

- a) Construct a sanitary sewer to serve part of Lot 1, Block 1, Pinaire Addition, south of Harry, west of West Street. (District IV)
- b) Construct a sidewalk in Reserve A, Reed's Cove Addition, south of 21st Street east of 127th Street East. (District II)
- c) Pave Pattie from Galena to 42 feet south of Galena, west of Hydraulic, south of 31st Street South. (District III)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

11. Minutes of Advisory Boards/Commissions:

Wichita Police and Fire Retirement meeting, August 20, 2004
Wichita Public Library Board of Directors meeting, August 17, 2004
City of Wichita Airport Advisory Board minutes, August 9, 2004
District IV Advisory Board Meeting, August 4, 2004
Board of Code Standards and Appeals minutes, August 2, 2004
Board of Park Commissioners special meeting, July 26, 2004
Wichita Employees Retirement System regular meeting minutes, July 21, 2004
District IV Advisory Board Meeting, July 21, 2004
Board of Electrical Appeals meeting minutes, July 13, 2004
Board of Code Standards and Appeals meeting minutes, July 12, 2004
District Advisory Board (DAB) I meeting minutes, July 12, 2004
Board of Park Commissioners Park and Recreation regular meeting, July 12, 2004
Wichita Airport Advisory Board minutes, July 6, 2004
Wichita Employees Retirement Board Police & Fire Retirement Board minutes, July 1, 2004
Police and Fire Retirement System regular board meeting minutes, June 23, 2004
Wichita Employees Retirement System board meeting minutes, June 16, 2004
District V Advisory Board revised minutes, June 9, 2004
District IV Advisory Board Meeting, June 2, 2004

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District IV Advisory Board Meeting, May 20, 2004
District V Advisory Board revised minutes, May 3, 2004
District IV Advisory Board Meeting, April 7, 2004
District IV Advisory Board Meeting, March 3, 2004
District IV Advisory Board Meeting, February 18, 2004
District IV Advisory Board Meeting, January 7, 2004

RECOMMENDED ACTION: Receive and file.

12. Consideration of Street Closures/Uses.

2004 Wichita Veteran's Day Parade, Saturday, November 6 – 11 am to 2:30 pm

- Main from 10th South to Douglas
- Elm and Main
- Main to Douglas
- Douglas west to Water
- Water north to 3rd Street

Wichita Symphony Orchestra Young People's Concerts, November 16, 17, 18 - 9:00 a.m. to 12:00 noon

- Century II Drive from Main Street north to Douglas Avenue
- Perimeter drive around the east side of Century II

RECOMMENDED ACTION: Approve the request subject to : 1) event sponsors notifying every property and/or business adjoining any portion of the closed street; 2) coordination of event arrangements with city Staff; 3) hiring off-duty public safety officers as required by the Police Department; 4) obtaining barricades to close the streets in accordance with requirements of Police, Fire, Public Works Department; 5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the events use of the closed City Streets.

13. Contracts & Agreements; Professional Contracts under \$10,000; Annual Maintenance Contracts over \$10,000 for September 2004.

RECOMMENDED ACTION: Receive and file report.

14. Agreements/Contracts:

- a) Homeless Management Information System.
- b) Respread assessments: The Gateway Center Addition, south of 13th Street North, east of Greenwich. (District II)
- c) Siting Study-Sewage Treatment Plants. (Districts IV, VI, II) - Supplemental.
- d) Electronic security.

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- e) 29th Street North from Maize to Tyler. (District V) – Supplemental.
- f) Construction engineering and staking in Fox Ridge Addition, east of Maize, north of 29th Street North - Supplemental. (District V)
- g) 9th Street Bridge at the Westlink Ditch between Maize and Tyler. (District V) – Supplemental.
- h) United States Geological Survey (USGS) Surface Agreement October 1, 2004 through September 30, 2005.
- i) South Central Kansas Arson Strike Force Interlocal Agreement.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

15. Change Order: 29th Street North, Rock to Webb. (District II)

RECOMMENDED ACTION: Approve the Change Orders and authorize the necessary signatures.

16. Repair or Removal of Dangerous and Unsafe Structures.

| | <u>Address</u> | <u>District</u> |
|----|-------------------------------|-----------------|
| a) | 422 West Skinner | III |
| b) | 1511 North Hydraulic (garage) | I |
| c) | 1452 North Estelle | I |
| d) | 536 South All Hallows | IV |

RECOMMENDED ACTION: Adopt Resolution (s) setting the Public Hearing on December 14, 2004 at 9:30 a.m. or soon thereafter.

17. Sanitary Sewer Segment - Bill of Sale. (District VI)

RECOMMENDED ACTION: Approve the Bill of Sale and authorize the necessary signatures.

18. Abatement of Dangerous and Unsafe Structures.

RECOMMENDED ACTION: Approve the proposed assessments and place the Ordinance on first reading.

19. Payment of Judgment in City v. Lamar, et.al. East Kellogg Project. (District II)

RECOMMENDED ACTION: Authorize payment to the Clerk of the District Court in the amount of \$40,076.13 to satisfy the judgment in City of Wichita v. Lamar, et.al., together with interest at the rate of \$6.10 per day from July 12, 2004, to the date of payment.

20. Gilbert & Mosley-Partial Satisfaction of Judgment-APCO Liquidating Trust.

RECOMMENDED ACTION: Approve the settlement and authorize filing of the appropriate documents upon payment of the partial judgment.

21. Budget Transfer for the Safety Office.

RECOMMENDED ACTION: Approve the budget transfer and the purchase of a vehicle.

22. Downtown Arena Information Seminar for City Employees.

RECOMMENDED ACTION: Allow for City employees the opportunity to attend an informational seminar at City Hall on the Downtown Arena if the employees choose to do so.

23. Acquisition of 2355 Laura for Widening of Pawnee from Washington to Hydraulic. (District III)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

24. Sale of Surplus Property Located at the Southwest corner of Kellogg and Julia. (District V)

RECOMMENDED ACTION: Approve sale and Contracts; authorize necessary signatures.

25. Storm Water Sewer for Power CDC Second Addition, North of 25th Street North, West of Grove. (District I)

RECOMMENDED ACTION: Adopt the amending Resolution and approve the supplemental design agreement.

26. Wichita City Hall Building Control Systems Tests. (District VI)

RECOMMENDED ACTION: Adopt the Resolution and authorize the necessary signatures.

27. Replacement of Equipment, Rand Graphics, Inc. (Districts IV and V)

RECOMMENDED ACTION: Adopt the Resolution and authorize the execution of the Bills of Sale and all such other documents necessary to replace bond financed equipment and authorize the necessary signatures.

28. Public Exigency Project, Sanitary Sewer Repairs. (District II)

RECOMMENDED ACTION: Affirm the City Manager's Pubic Exigency approval of the project.

29. Expo Hall Chiller Plant Study. (District I)

RECOMMENDED ACTION: Adopt the Resolution, authorize the project and authorize the necessary signatures.

30. Expo Hall HVAC Equipment Repairs and Replacement. (District I)

RECOMMENDED ACTION: Adopt the Resolution; authorize the project and authorize the necessary signatures.

31. Lawrence-Dumont Stadium, Repairs and Renovations. (District IV)

RECOMMENDED ACTION: Adopt the Resolution and authorize the necessary signatures.

32. Settlement of Claim.

RECOMMENDED ACTION: Authorize payment of \$40,000 as a full settlement of all possible claims arising out of the transactions which are the subject of the claim.

33. Deposit for Water Department Sales/Use Tax Case.

RECOMMENDED ACTION: Authorize the deposit with KDOR to be made in an amount up to \$199,704, from funds in the Water Department budget and authorize staff to make any necessary budget adjustments.

NEW BUSINESS

(9:30 a.m. or soon thereafter)

34. Repair or Removal of Dangerous and Unsafe Structures. (District I)

On August 17, 2004, a report was submitted with respect to the dangerous and unsafe conditions on the properties below.

| <u>Property Address</u> | <u>Council District</u> |
|-------------------------|-------------------------|
| a. 2311 North Piatt | I |
| b. 2626 North Madison | I |
| c. 309 East Lincoln | I |

RECOMMENDED ACTION: It is recommended that the City Council close the public hearing, adopt the Resolutions declaring the buildings as dangerous and unsafe structures, and accept the BCSA recommended action to proceed with condemnations allowing 10 days to start demolition and 10 days to complete removal of the structures. Any extensions of time granted to repair the structures would be conditioned on the following: (1) All taxes have been paid to date, as of October 12, 2004; (2) the structures have been secured as of October 12, 2004 and will continue to be kept secured; and (3) the premises are mowed and free of debris as of October 12, 2004 and will be so maintained during renovation.

35. Petition to Pave Eisenhower Court, West of Hoover, South of Harry. (District IV)

The signatures on the Petition represent 2 of 5 (40%) resident owners and 76.04% of the improvement district area.

RECOMMENDED ACTION: Approve the Petition and adopt the Resolution.

36. Amendments to Title 15 of the City Code-Adoption of the 2000 International Fire Code.

In preparation for adoption of the 2000 IFC, the Code was presented to the District Advisory Boards for their consideration and comment. In addition, the Code was presented to the Board of Code Standards and Appeals and the State Fire Marshal's Office for their consideration and comments.

RECOMMENDED ACTION: Approve first reading of the 2000 International Fire Code in its entirety.

37. State Homeland Security Grant Program.

The City of Wichita has been notified that it has been awarded \$100,000 in non-matching grant funds under the Department of Homeland Security 2003 Part II Critical Infrastructure Protection Grant.

RECOMMENDED ACTION: Approve the grant award and authorize the necessary signatures.

38. Ordinance Amendments Pertaining to the Alarm and Fire Alarm Systems. Chapter 3.40 of the Code of the City of Wichita.

In 1999, the City Council enacted substantial revisions to the Alarm Systems Ordinances mandating that alarms be registered by alarm companies, increasing false alarm fees, assessing administrative penalties to alarm businesses for non-registration and transferred enforcement of the Ordinance to the Police Department.

RECOMMENDED ACTION: Place the ordinance on first reading.

39. Authorize a Second Five-Year Tax Exemption, JR Custom Metal Products, Inc. (District IV)

On August 10, 1999, City Council approved an Economic Development Tax Exemption (EDX) for JR Custom Metal Products, Inc. ("JR Custom") to assist with expansion of the companies manufacturing operations.

RECOMMENDED ACTION: Approve a second five-year ad valorem tax exemption at 46.2 percent on real property only.

40. Release and Substitution of Property, Via Christi Health System, Inc. (Districts II, III and VI)

The City of Wichita has previously issued various series of Hospital Facilities Improvement and Refunding Revenue Bonds for St. Francis Regional Medical Center, Inc. On July 22, 2004, the City of Wichita received notice from Via Christi Regional Medical Center, Inc. of its intention to exercise its option to request release of certain portions of the Hospital Facilities.

RECOMMENDED ACTION: Approve first reading of the Ordinance authorizing the execution and delivery of a First Amendment to Bond Indentures, Third Supplemental Restated and Amended Lease and Third Supplemental Sublease.

41. Issuance of Residential Rental Facility Revenue Bonds, Casa de-la-Familia Apartments. (District VI)

On September 18, 2001, the City Council approved the issuance of a letter of intent to issue Industrial Revenue Bonds in an amount not to exceed \$10,000 to finance the costs of developing a multi-family housing project (Casa Del Norte Apartments), located at 505 West 33rd Street North, in North-Central Wichita. On January 7, 2003, the owner of the project site, John McKay, requested that the Letter of Intent be re-issued in the name of his development Community Housing Partners, L.L.C. in the amount of approximately \$11,000,000.

RECOMMENDED ACTION: Close the public hearing and approve the issuance of Residential Rental Facility Revenue Bonds in an amount not-to-exceed \$5,000,000; approve a \$100% property tax rebate under the Neighborhood Revitalization Program for a term of five years, plus an additional five years subject to City Council review and authorize the necessary signatures.

42. Public Hearing and Approval of a Letter of Intent for Industrial Revenue Bonds for Ryan International Airlines.
(District VI)

On December 9, 1998, the City Council approved the issuance of Industrial Revenue Bonds in the amount of \$2.7 million to Ryan International. Rubloff Wichita, L.L.C. is requesting the issuance of a one-year letter of intent for Industrial Revenue Bonds (IRB's) in an amount not to exceed \$3,500,000. The building will be leased to Rubloff Wichita, L.L.C. for use by Ryan International Airlines, Inc.

RECOMMENDED ACTION: Close the public hearing and approve a Letter of Intent to Rubloff Wichita, L.L.C. for Industrial Revenue Bonds in an amount not to exceed \$3,500,000, subject to the Standard Letter of Intent Conditions, for a term on one-year, and grant a 100% tax abatement for bond-financed property for an initial five-year period plus an additional five-years following City Council review, and authorize the necessary signatures.

43. WaterWalk Developer Agreement Amendments. (District I)

On September 21, 2004, the City Council endorsed the Developer's selection of Gander Mountain and took several actions to provide City funding for a portion of the costs to develop the destination retail store and associated public improvements. The City Council also directed staff to return with necessary amendments to the WaterWalk Development Agreement and with ordinances needed to allow for successful development and operation of the Gander Mountain project.

RECOMMENDED ACTION: 1) Close the public hearing; 2) approve first reading of the Ordinance authorizing the development agreement Amendments and approving construction pursuant to the Provisions of Charter Ordinance No. 177; 3) approve the Second amendment to the Developer Agreement, subject To the adoption of the ordinance authorizing its' execution; 4) approve first reading of the charter ordinance amending Charter Ordinance 192 and 5) set October 26, 2004 as the Date for second reading and adoption of the ordinances.

44. Public Hearing and Request for Letter of Intent for Industrial Revenue Bonds-Fitness 2000 24hr Health Club.
(District V)

Fitness 2000 24hr. Health Clubs (Fitness 2000) is requesting the issuance of a one-year letter of intent for industrial revenue bonds (IRBs) in an amount not to exceed \$5,000,000.

RECOMMENDED ACTION: Close the public hearing and deny the request from Fitness 2000 for a Letter of Intent to issue industrial revenue bonds and property tax abatement on bond-financed property.

45. Changes to the Order of Business at Regular Meetings.

On August 17, 2004, the City Council acted upon a proposed Ordinance to change the Order of Business for Council Meetings. At the September 28, 2004, Council Workshop, the Council reviewed the Order of Business and requested that a revised Ordinance be brought forward.

RECOMMENDED ACTION: Approve the order of the business at regular City of Wichita Council meetings and place the Ordinance on first reading.

46. 2005/2006 Health Insurance Program.

The City uses a Health Insurance Advisory Committee (HIAC) to monitor health insurance programs for employees, and recommended new/ renewal programs or changes in health coverage and cost, as required. The Committee includes representatives from the Fraternal Order of Police, International Association of Firefighters, Service Employees International, and Teamsters unions, as well as the (non-union) Employees Council and Management staff.

RECOMMENDED ACTION: Approve Coventry Health Care of Kansas, Inc. as the medical and prescription drug provider for 2005 and 2006, with the modifications in copays/deductibles/benefits; renew the existing vision program with VSP until December 31, 2007; renew the existing voluntary insurance programs (dental, life, disability and long term care) for 2005, and authorize the required signatures.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

47. *SUB2004-13-Plat of Copper Gate North Addition, Located on the North side of 13th Street North and on the West Side of 135th Street West. (District V)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary signatures; adopt the Resolutions and approve first reading of the Ordinance.

48. *SUB2004-73-Plat of Midian Shrine-Hoskinson Addition, Located East of Ridge Road and on the South Side of 13th Street North. (District V)

RECOMMENDED ACTION: Approve the documents and plat as recommended; authorize the necessary signatures and adopt the Resolutions.

49. *SUB2004-75-Plat of Shoal Creek Third Addition, Located West of 143rd Street East and South of Central.
(District II)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary signatures and adopt the Resolutions.

50. *SUB2004-85-Plat of Woodland North Pointe Addition, Located South of 29th Street North and on the East Side of Woodlawn. (District I)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary Signatures and adopt the Resolutions.

51. *SUB2004-86-Plat of The Waterfront Fifth Addition, Located on the North Side of 13th Street North and East of Webb Road. (District II)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary signatures and adopt the Resolutions.

52. *DED2004-20 & 21-Dedication of Utility Easements for Property Located on the Southeast Corner of 37th Street North and Ridge Road. (District V)

RECOMMENDED ACTION: Accept the Dedications.

53. *VAC2004-26-Request to Vacate a Portion of a Floodway Acquired by Condemnation, Generally Located Northwest of the Interstate Highway-235 Broadway Avenue interchange. (District VI)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

54. *ZON2004-38-Zone Change from Single-family Residential to General Office. Generally Located 750 Feet East of 127th Street East, North of 21st Street North. (District II)

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC, approve the zone change and place the ordinance establishing the zone change on first reading; or
2. Return the application to MAPC for reconsideration.

55. *CUP2003-00050 DP78, Amendment #3 and ZON2003-00048-Extension of Time to Complete the Platting Requirement for an Amendment to The Moorings Community Unit Plan (CUP) and a Zone Change from Single-family Residential to Limited Commercial. Generally Located North of K-96/I-235 and West of Meridian.
(District VI)

RECOMMENDED ACTION: Approve extension of time to complete platting to November 18, 2006.

56. *CUP2004-39 Associated with ZON2004-44-Creation with DP279 Cross Pointe Community Unit Plan; Zone Change to Limited Commercial. Generally Located at the Southeast Corner of Greenwich Road and 21st Street North. (District II)

RECOMMENDED ACTION: 1. Adopt the findings of the MAPC and approve the zone change and CUP subject to the condition of platting within one year and the recommended conditions; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; or
2. Return the application to the MAPC for reconsideration.

57. *CUP2004-38 Associated with ZON2004-43, Amendment to Parcel 3 of DP-192 Tall Grass East Business Park CUP and a Zone Change from Single-family Residential to General Office. Generally Located South of K-96 and East of Webb Road. (District II)

RECOMMENDED ACTION: 1. Adopt the findings of the MAPC and approve the CUP amendment and zone change; place the ordinance establishing the zone change on first reading; or
2. Return the application to the MAPC for reconsideration.

58. ZON2004-41-Zone change from Single-Family Residential to General Office. Generally Located North of 29th Street North and ¼ Mile West of Maize Road. (District V)

RECOMMENDED ACTION: 1. Adopt the findings of the MAPC and approve the zone change subject to the condition of platting within one year and the recommended condition; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; or
2. Return the application to MAPC for reconsideration.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

59. Smarte Carte, Inc. – Agreement.

RECOMMENDED ACTION: Approve the agreement and authorize the necessary signatures.

60. Terminal Area Planning Study.

RECOMMENDED ACTION: Endorse the study recommendations and direct staff to solicit for program management and financial consulting services to oversee the project.

HOUSING AGENDA

NOTICE: The City Council is meeting as the governing body of the Housing Authority for consideration and action on items on this Agenda, pursuant to State law, HUD, and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

Inafay Grays-McClellan, Housing Member is also seated with the City Council.

61. Public Hearing-Five-year and Year 2005 Annual Agency Plans.

RECOMMENDED ACTION: Adopt the resolution H04-02 and authorize the necessary signatures relative to required certifications for the submission of the Wichita Housing Authority Five-Year and Year 2005 Annual Agency Plans.

62. Report of Public Housing Capital Improvements.

RECOMMENDED ACTION: Receive and file the report.

63. 2005 Public Housing Calculation of Operating Subsidy.

RECOMMENDED ACTION: Adopt the resolution approving the submission of the 2005 HUD Calculation of Operating Subsidy and authorize the necessary signatures for submittal to HUD.

64. Report of Housing Authority Activities.

RECOMMENDED ACTION: Receive and file the Housing Authority activity reports.

CITY COUNCIL

65. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

66. Transportation Services Agreement Amendment-AirTran Airways.

RECOMMENDED ACTION: Approve the amendment and authorize the necessary signatures.

Adjournment